

Wildlife Restoration/Hunter Education Advisory Team

Advisory 2020-010: Translating and Clarifying Regulations

June 2, 2020



Can a State use Wildlife Restoration funds to translate regulations into another language, or to simplify existing regulations to make them more understandable to all?

Discussion: This question is similar to Advisory 2020-004 - Printed Information (Regulations and Media). According to Service Manual chapter 521 FW 1.8(E), the following are considered ineligible activities for WSFR funding:

Establishment, publication, and dissemination of regulations issued by a State pertaining to the protection and utilization of fish and wildlife resources. Includes laws, orders, seasonal regulations, bag limits, creel limits, license fees, etc. This does not prohibit the scientific collection of information needed to support management recommendations.

The Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act (Modernizing PR Act) (Public Law 116-94), enacted in December 2019, expands the range of activities that can be funded under Pittman-Robertson Wildlife Restoration Act (WR Act) grants to include hunter and shooter recruitment, as defined in the Modernizing PR Act, from funds allocated under Sections 16 U.S.C. 669c(c) and 16 U.S.C. 669h-1 of the WR Act. Additionally, the Modernizing PR Act removed the blanket prohibition on funding projects for "public relations" purposes, while retaining the prohibition on funding law enforcement activities with any funds available under the WR Act. Due to these new statutory changes to the WR Act, many long-standing Service policies will need to be revised, amended, or rescinded to reflect this new legislation.

The Service Manual Chapter at 521 FW 1, adopted in October 2001, needs to be updated to reflect these new purposes. Since the prohibition on law enforcement was not removed, the Advisory Team considered whether translating and simplifying regulations are primarily law enforcement activities or fit within the newly enacted recruitment purposes allowed by the Modernization Act.

The Team concluded that to become a responsible hunter, which is one of the primary purposes of the Basic Hunter Education program, funded under Section 669c(c), and Enhanced Hunter education under 669h-1, it is imperative that the public become knowledgeable and informed about hunting season dates, bag limits, legal hunting zones, and other laws and orders that are specified in hunting regulations and materials. Therefore, removing barriers to public understanding of existing regulations by translating into a different language or presenting in more understandable language or format is eligible. Beyond hunter education, these activities could also be interpreted to support recruitment efforts to inform new hunters about laws and orders governing hunting in a specific State.

The Team also concluded that there is a clear distinction that can be made between ineligible activities for developing (such as the reviewing, writing, editing, or revising regulations) and enforcing laws and eligible activities for informing the public about the laws and hunting opportunities.

Advisory: Activities that are conducted to inform and educate the public and create greater understanding about their responsibilities to comply with laws, orders, and regulations are not considered law enforcement activities and therefore are eligible using funds at 16 U.S.C. 669c(c) (R3) or at 16 U.S.C. 669h-1 (Enhanced Hunter Education/R3), including translating and improving understanding of hunting regulations. The activities of developing (including reviewing, writing, editing, and revising), adopting, implementing, and enforcing hunting laws, orders, and regulations are clearly activities directly related to creating and enforcing laws and therefore ineligible for WSFR funding.